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**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

**The Minutes**

**September 18, 2000**

**MISC ORDER  
2000-06**

Associate Justice Coleman A. Blease is appointed to serve as Acting Presiding Justice to discharge the duties described in Rules 75, 76, 77 and 78 of the California Rules of Court during the absence of the Presiding Justice from the court on September 26, 2000, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

At 9:30 a.m., the court met in the Library & Courts Building to begin its court calendar session. Present: Sims, Acting Presiding Justice; Morrison, Associate Justice; Callahan, Associate Justice; and Castillo, Bailiff. Calendar called.

**C033565      CAPESTRO as Trustee, etc. v. DUBNOW**

Cause called. Andrew J. Capestro argued for appellant. Henry V. Cleary argued for respondent. Cause submitted.

**C033029      TURNER, JR. v. COUNTY OF YUBA BOARD OF SUPERVISORS et al.**

Cause called. Grant D. Pegg argued for appellant. Kathleen L. Burgess, Chief Deputy County counsel, argued for respondents. Cause submitted.

At 10:03 a.m., court recessed. At 10:07 a.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Morrison, and Associate Justice Kolkey.

**C027881      THE PEOPLE v. LADNER**

Cause called. Stephen Greenberg, court appointed counsel, argued for appellant with additional citations. John A. O'Sullivan, Deputy Attorney General, argued for respondent. Cause submitted. (Consolidated with C028559.)

**C028559      THE PEOPLE v. HALEY**

Cause called. Danny D. Brace, Jr. argued for appellant. John A. O'Sullivan, Deputy Attorney General, argued for respondent. Cause submitted. (Consolidated with C027881.)

At 10:32 a.m., court recessed until Wednesday, September 20, 2000, at 9:30 a.m.

**COURT OF APPEAL  
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**The Minutes**

**September 18, 2000 Continued**

**C034013      THE PEOPLE v. TURNER      (Not for Publication)**  
The judgment is affirmed.  
                         MORRISON, J.  
We concur:     Davis, Acting P.J.  
                         Callahan, J.

**September 19, 2000**

**C029708      THE PEOPLE v. SAPP      (Not for Publication)**  
The judgment is affirmed.  
                         NICHOLSON, J.  
We concur:     Scotland, P.J.  
                         Hull, J.

**C034572      THE PEOPLE v. HAN      (Not for Publication)**  
The judgment is affirmed.  
                         NICHOLSON, J.  
We concur:     Blease, Acting P.J.  
                         Raye, J.

**C032249      THE PEOPLE v. HASELTON      (Not for Publication)**  
The judgment is affirmed.  
                         CALLAHAN, J.  
I concur:        Nicholson, J.  
I concur in the result:  
                         Hull, J.

**C029600      STRONG et al. v. MCCOY et al. and HART et al.      (Not for Publication)**  
The judgment is affirmed.  
                         RAYE, J.  
We concur:     Scotland, P.J.  
                         Morrison, J.

**C033994      THE PEOPLE v. FRANKLIN      (Not for Publication)**  
The judgment is affirmed. The trial court is directed to correct the abstract of judgment as stated above and to forward a certified copy of the corrected abstract to the Department of Corrections.  
                         BLEASE, J.  
We concur:     Davis, J.  
                         Callahan, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**September 20, 2000**

**C033622      THE PEOPLE v. CURIEL**

Appellant's petition for rehearing is denied.  
BLEASE, Acting P.J.

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of its court calendar session. Present: Scotland, Presiding Justice; Sims, Associate Justice; Raye, Associate Justice; and Rios, Bailiff. Calendar called.

**C033677      DAVIS v. BLOOM CONSTRUCTION COMPANY**

Cause called. Steven J. Bell argued for appellant. Russ J. Wunderli argued for respondent. Cause submitted.

At 10:01 a.m. court recessed. At 10:02 a.m., court reconvened with Presiding Justice Scotland, Associate Justice Sims, and Associate Justice Hull.

**C033736      In re the Marriage of GARVINE**

Cause called. Frederick W. Stephenson argued for appellant. Frederic L. Snowden argued for respondent. Cause submitted.

At 10:25 a.m., court recessed. At 10:26 a.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Raye, and Associate Justice Morrison.

**C033330      COUNTY OF EL DORADO v. ANGLIN**

Cause called. Charles L. Rathbun argued for appellant. M.J. Hamilton, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:38 a.m., court recessed. At 10:39 a.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Morrison, and Associate Justice Hull.

**C031031      THE PEOPLE v. HOAG**

Cause called. Thomas A. Leupp argued for appellant. John G. McLean, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:15 a.m., court recessed until Thursday, September 21, 2000, at 9:30 a.m.

**COURT OF APPEAL  
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**The Minutes**

**September 21, 2000**

At 9:27 a.m., the court met in the Library & Courts Building for a continuation of its court calendar session. Present: Sims, Acting Presiding Justice; Morrison, Associate Justice; Callahan, Associate Justice; and Castillo, Bailiff. Calendar called.

**C032594**

**ANK v. FARRELL et al.**

Cause called. Janice R. Mazur argued for appellant. Kenneth E. Bacon argued for respondents. Cause submitted.

At 10:01 a.m., court recessed until Friday, September 22, 2000, at 9:30 a.m.

**C031903**

**THE PEOPLE v. ZAVALA, JR. et al.**

**(Not for Publication)**

The judgments are affirmed.

CALLAHAN, J.

I concur: Davis, Acting P.J.

I concur in the result:

Hull, J.

**C031099**

**THE PEOPLE v. NICHOLAS et al.**

**(Not for Publication)**

As to defendant Elmore, the judgment is affirmed. The trial court shall correct the abstract of judgment to reflect a \$10,000 restitution fine pursuant to section 1202.4. As to defendant Nicholas, the judgment is modified by striking serious felony (§ 667, subd. (a)) enhancement number three. As so modified, the judgment is affirmed. The trial court shall amend the abstract to reflect this modification and a \$10,000 restitution fine pursuant to section 1202.4. Certified copies of both amended abstracts shall be forwarded to the Department of Corrections.

BLEASE, Acting P.J.

We concur: Nicholson, J.

Raye, J.

**C031780**

**THE PEOPLE v. MACKEY**

**(Not for Publication)**

The judgment is affirmed.

DAVIS, J.

We concur: Sims, Acting P.J.

Morrison, J.

**COURT OF APPEAL  
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**The Minutes**

**September 22, 2000**

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of its court calendar session. Present: Nicholson, Acting Presiding Justice; Morrison, Associate Justice; Callahan, Associate Justice; and Rios, Bailiff. Calendar called.

**C031801      STEFFENSEN v. PARADISE OAKS YOUTH SERVICES et al.**  
Cause called. No appearance was made on behalf of appellant. Dana D. Sankary argued for respondent Paradise Oaks Youth Services. Ray Bacerdo argued for respondent Alicante School et al. Cause submitted.

At 9:35 a.m., court recessed. At 9:38 a.m., court reconvened with Acting Presiding Justice Nicholson, Associate Justice Callahan, and Associate Justice Hull.

**C032388      WISE v. THRIFTY PAYLESS, INC.**  
Cause called. Jerry Schreibstein argued for appellant. Jonathan A. Klein appeared for appellant but did not argue. Thomas S. Crary argued for respondent. Cause submitted.

At 9:58 a.m., court recessed. At 10:02 a.m., court reconvened with Acting Presiding Justice Nicholson, Associate Justice Raye, and Associate Justice Morrison.

**C033671      SLOVER v. GOLF LINKS RESERVE et al.**  
Cause called. Anthony B. Manzanetti argued for appellants. James J. Grace argued for respondent. Cause submitted.

At 10:43 a.m., court recessed. At 10:47 a.m., court reconvened with Acting Presiding Justice Sims, Associate Justice Nicholson, and Associate Justice Raye.

**C034411      HARLOW et al. v. REYNOLDS**  
Cause called. Paul H. Greisen argued for appellant. William E. Bernard argued for respondents. Cause submitted.

At 11:30 a.m., court recessed until Monday, September 25, 2000, at 9:30 a.m.